IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14997 of 2004

Between:

1. Sri A. Nageswara Rao, S/o Sri A. Ananthaiah,
   r/o Kongararaviryala Village, Maheswaram Mandal,
   Ranga Reddy District.
2. Sri J. Damodar Reddy, S/o Sri J. Narsimha Reddy,
   r/o Jillellaguda, Saroornagar Mandal, Ranga Reddy District.
3. Sri Chetukuri Madhava Reddy, S/o Sri Ramachandra Reddy,
   R/o Kondararaviryala village, Maheswaram Mandal,
   Ranga Reddy District.

..... PETITIONERS

AND

1. The Government of Andhra Pradesh, rep. by its Secretary, Revenue

Department, Hyderabad, A.P.

2. The Sub Registrar, Maheswaram Mandal, Ranga Reddy District.

3. The Mandal Revenue Officer, Maheswaram Mandal,

Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of *Writ of Mandamus*, declaring the action of the 2nd respondent in not receiving the document and registering the same in respect of an agricultural land of Acs. 4.34 guntas ie., in survey No. 381 Ac.1.36 guntas' in Sy.No. 382 , Ac. 2.10 guntas and in Sy.No. 387 and 0.28 guntas situated at Kongara Khurd Village, Maheswaram Mandal, Ranga

Reddy District, is illegal, violative of Section 22-A(1) of Registration Act, 1908 and consequently direct the 2nd respondent to receive the document and register the same.

Counsel for the Petitioner: MR.CH.RAVINDER

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

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THE HON'BLE SRI JUSTICE A. GOPAL REDDY

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WRIT PETITION No. 14997 OF 2004

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O R D E R:

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Petitioners claim to be the owner of the land in an extent of Ac.1.36 guntas, Ac.2.10 guntas and Ac.0.28 guntas in Survey Nos.381, 382, 387 respectively (totaling to AC.4.34 guntas) which are agricultural lands situated at Kongara Khurd Village, Maheswaram Mandal, Ranga Reddy District under a registered sale deed dated 26.05.2003. On 29.07.2004, when the petitioners wanted to sell the said property, and presented the document, the second respondent refused to entertain the said document on the ground that the land in question which is sought to be sold cannot be registered in view of a complaint given by Dargha Hazarath Syed Shah Raju Hussaini Saini alleging that the land situated in Kongara Khurd village are the INAM lands of the said Dargha. In view the same, the present writ petition is filed.

2. Learned Government Pleader submits that there is no notification issued by the Government of Andhra Pradesh under Section 22-A (1) of the Registration Act, prohibiting the registration of the documents in respect of the Survey Nos.381, 382, 387 respectively in the said village mentioned above. On issuance of such notification, the 2nd respondent can refuse to receive the document for registration, but not as otherwise.

3. In view of the same, the second respondent is hereby directed to receive the document and register the same, as and when the petitioner presented the same for registration, and for any reason, if the document cannot be registered, he has to pass appropriate orders and communicate the same to the petitioner within two weeks from the date of presentation of the said document.

4. Accordingly, the writ petition is disposed of at the stage of admission.

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A. GOPALREDDY,J)

01.09.2004

KSN/KMR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Revenue Departmentt.,

Government OF Andhra Pradesh, Hyderabad

2. The Sub-Registrar, Maheswaram Mandal,

Ranga Reddy District.

3. The Mandal Revenue officer, Maheswaram Mandal,

Ranga Reddy District.

4. Two CCs to G.P. for Revenue, High Court Buildings, High Court of A.P., Hyderabad (O.U.T.)

5. Two CD copies